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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 KMK MANAGEMENT,

12 Plaintiff,

13 v.

14 YUCHUN HSIAO, et al.,

15 Defendants.
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Case No. CV 18-4000 PSG (SSx)

ORDER SUMMARILY REMANDING

IMPROPERLY-REMOVED ACTION

17 The Court will remand this unlawful detainer action to state
18 court summarily because Defendant removed it improperly.
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20 On May 14, 2018, Defendant Yuchun Hsiao, having been sued in
21 what appears to be a routine unlawful detainer action in California
22 state court, filed a Notice of Removal of that action to this Court
23 and presented an application to proceed in forma pauperis. The
24 Court has denied the IFP application under separate cover because
25 the action was not properly removed. To prevent the action from
26 remaining in jurisdictional limbo, the Court issues this Order to
27 remand the action to state court.
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1 Simply stated, this action could not have been originally
2 filed in federal court because the complaint does not competently
3 allege facts supporting either diversity or federal-question
4 jurisdiction, and therefore removal is improper. 28 U.S.C.
5 § 1441(a); see Exxon Mobil Corp. v. Allapattah Svcs., Inc., 545
6 U.S. 546, 563 (2005).

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8 Accordingly, IT IS ORDERED that (1) this matter be REMANDED
9 to the Superior Court of California, County of Los Angeles, Santa
10 Monica Judicial District, 1725 Main Street, Santa Monica, CA 90401,
11 for lack of subject matter jurisdiction pursuant to 28 U.S.C.
12 § 1447(c); (2) the Clerk send a certified copy of this Order to
13 the state court; and (3) the Clerk serve copies of this Order on
14 the parties.

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16 IT IS SO ORDERED.

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18 DATED: 5/23/10

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21 PHILIP S. GUTIERREZ
22 UNITED STATES DISTRICT JUDGE
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